

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33900 of 2025

Arising Out of PS. Case No.-60 Year-2025 Thana- LAXMIPUR District- Jamui

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1. Sintu Yadav @ Santu Kumar S/O Late Bindeshwari Yadav R/o Village-
Matiya, P.S - Laxmipur, District - Jamui.
 2. Balmukund Yadav S/O Late Ganpat Yadav R/o Village- Matiya, P.S -
Laxmipur, District - Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar, Advocate

For the Opposite Party/s : Mr.Md. Anzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 21-05-2025 Heard the parties.

2. The petitioners are apprehending arrest in connection with Laxmipur P.S. Case No. 60 of 2025 instituted under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022 lodged on 12.03.2025 by the informant, Sawan Kumar.

3. As per the prosecution story, the Police upon information, raided the old house of Sanjay Yadav and there is recovery/seizure of 40.5 liters of foreign liquor. The 'Chowkidar' gave the name of those who escaped, the petitioners included. This led to the FIR.

4. Learned counsel for the petitioners submit that they



have absolutely no criminal antecedent, the alleged recovery is from the old house of Sanjay Yadav, they have nothing to do with alleged recovery.

5. Learned APP opposes the prayer.

6. Considering the submissions of the parties as also that the recovery is from the house of Sanjay Yadav, the petitioners have no criminal antecedent, in that background, this Court is inclined to extend them the privilege of anticipatory bail. However, if it is found that any of the petitioner has criminal antecedent, the order with regard to that petitioners shall become infructuous.

7. Let the petitioners be released on bail, in the event of their arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Laxmipur P.S. Case No. 60 of 2025 to the satisfaction of learned Exclusive Excise Court-Ist, Jamui subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show his/her bona fide;



(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall co-operate in the investigation and make themselves available to the police as and when required;

(iv) the petitioners shall appear before the concerned police station every fortnight for next six months to mark their attendance;

(v) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(vi) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

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